

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Terry Edward McCall,)	C/A No. 2:15-cv-01011-TLW-MGB
)	
	Plaintiff,)	
)	
v.)	ORDER
)	
Scotty R. Bodiford, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

Plaintiff Terry Edward McCall, (“Plaintiff”), an inmate proceeding *pro se* and *in forma pauperis*, filed the instant civil action pursuant to 42 U.S.C. § 1983. (ECF Nos. 1 and 29). In accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2), D.S.C., this matter was referred to United States Magistrate Judge Mary Gordon Baker for pre-trial handling. On June 15, 2016, the Magistrate Judge issued a Report and Recommendation, (“the Report”), (ECF No. 78), recommending that this Court grant the Motion for Summary Judgment, (ECF No. 48), of Defendants Scotty R. Bodiford, James Dorriety, Pat Rae, and Traci Krein. Objections to the Report were originally due by July 5, 2016. Plaintiff sought and obtained an extension to file objections until July 29, 2016. (ECF Nos. 86 and 95). However, Plaintiff declined to file any objections to the Report, and the matter is now ripe for review by this Court.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by

the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). In the absence of a timely filed Objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

Applying the above standards to the instant matter, the Court has carefully reviewed the record, applicable law, and the Magistrate Judge’s Report, (ECF No. 78), and finding no clear error in the Report, the Court adopts and incorporates it by reference. Defendants’ Motion for Summary Judgment, (ECF No. 48), is thereby **GRANTED** and this action is **DISMISSED** as to Defendants Bodiford, Dorriety, Rae, and Krein.

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
Chief United States District Judge

August 26, 2016
Columbia, South Carolina